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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,130	01/14/2002	Geng-Hong Chung	CHUN3032/EM	6835

23364 7590 11/19/2004

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EXAMINER

LE, NANCY LOAN T

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/043,130

Applicant(s)

CHUNG, GENG-HORNG

Examiner

NANCY LOAN T. LE

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 1 and 2 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/14/2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Status of Claims***

Claims 1 and 2 have been examined.

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show details and labels for all components of the four figures: Figures 1 to 4, as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: component (q) in Figure 2 and Figure 3. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
3. The disclosure is objected to because of the following informalities: the arrow of the financial system (A) is pointing in the middle of nowhere. It should be pointing on to the edge of the big block instead. Appropriate correction is required.

### ***Specification***

4. The abstract of the disclosure is objected to because, for meaning clarification, it is suggested that the word "**when**" is inserted following the word 'only' to read as "**Only when** ...". Correction is required. See MPEP § 608.01(b).

5. The disclosure is objected to because of the following informalities: description for Figure 3 in the Specification is inconsistent such that it is referred to as “a construction diagram of the wireless local network system ...” (Fig. 3, brief description of the drawing) at one time, then referred to as “the block diagram of the security system, for identifying the identity of a person, of the invention.” (the middle of the first paragraph of the preferred embodiment), at another time. Similarly, Figure 4 is merely an empty block with no label in it, and at one time is referred to as “the traditional credit card reading machine” (Fig. 4, brief description of the drawing), then at another time referred to as ‘the financial system facility (A) of the claimed invention’ as in “Please refer to Figure 4. As the figure shown, a host of the financial system facility (A) may be located in a certain area with many slaves of the financial system facility (A)” (the fourth and fifth sentences of the second paragraph of the preferred embodiment). Appropriate correction is required.
6. The disclosure is objected to because of the following informalities: “Figure 3 is the block diagram of the security system, for identifying ... Among the figure, ...” (the middle of the preferred embodiment). Is the applicant referring to Figure 3? If so, the palm print data processor (5), the digital signal of card data processor (6), the comprehensive data processor (7) are NOT shown anywhere in this figure; otherwise, a specific figure number needs to be identified. Appropriate correction is required.

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7. The disclosure is objected to because of the following informalities: each figure with its corresponding components should be described individually, instead of describing them as a whole as it is confusing and difficult to follow. Appropriate correction is required.
8. The disclosure is objected to because of the following informalities: "... to finish a save activity ..." (last sentence of the first paragraph of the preferred embodiment). Is 'save' a typo? Or is it a 'safe' instead? Or does the applicant mean something else? Similarly, the first sentence of the second paragraph of the preferred embodiment says, "... the above method increases the save mode enormously". I'm not sure what he means by this. Appropriate correction is required.
9. The disclosure is objected to because of the following informalities: in the middle of the second paragraph of the embodiment, it is incorrectly worded as "... each invention can serve as a host or a slave. When an invention will serve as a host, ...". It is understood that the applicant intended to reference to "the financial system facility". Therefore, it should be re-worded accordingly. Another example is in line 8 of the preferred embodiment where it says "the data will be compared with the data of the card holder in the financial center database to identify the identity of the card user". Which data is the applicant referring to here? Is it the data of the palm-print and card input from the user he is referring to? Continuing on to the following line where it says: "Only the identity of a card holder and the data of the card are confirmed, the transaction of a credit card is allowed to be processed"; for meaning clarification, it is suggested that the word "**when**"

is inserted following the word 'only' to read as "Only when ...". Lastly, the word 'free-movement' as in the first sentence of the third paragraph of the embodiment "free-movement card access portion" (the first sentence of the third paragraph of the embodiment) is vague & confusing. This could be possibly interpreted differently from what the applicant describes later on, as in "... the card access portion (1) can be moved freely. Thus, the safety and convenience are increased." (near the end of the third paragraph of the embodiment). Clarification of the language used in the specification is required.

10. The disclosure is objected to because of the following informalities: missing the word "**card**" in the phrase of "... consists of wireless local network (2)," (the first sentence of the third paragraph of the embodiment). The word "**card**" should be inserted following the word 'network. Appropriate correction is required.
11. The disclosure is objected to because of the following informalities: misspelling of "therefor," (the last sentence of the third paragraph of the embodiment). It should read "therefore". Appropriate correction is required.

#### ***Claim Objections***

12. Claims 1 and 2 are objected to under 37 CFR 1.75 (MPEP § 608.01(i)) because of the following informalities:

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- Claim 1 is not a single and continuous phrase, which is the object of the starting sentence "I (We) claim" or similar language, and ending with a period.

Appropriate correction is required.

- Claim 2 is objected to because of the following informalities: improper claim terminology is used: "As the first item of 'What is claimed is'". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell, et al. (U.S. Pub. No. 0,149,661 A1) in view of Scott (U.S. Pub. No. 0,172,027 A1).

Mitchell, et al. disclose a method/system for authentication of financial transactions using a remote terminal includes apparatus for sampling a unique biological identifier of a system user. The apparatus includes:

- A card access portion (i.e., card reader, paragraph [0027]);
- A device for measuring or **recognizing** a unique biological identifier (paragraph [0029], line 4) whereas the suitable unique biological identifiers include



fingerprints, **palm prints**, retinal scans, voice prints, and DNA measurement (Statement of Invention, paragraph [0008], first sentence). By linking the unique biological identifier, for example a stored fingerprint with an account number, then by taking a fingerprint at a point of sale terminal or ATM machines, and transmitting information about that fingerprint to a financial “clearing house” (bank, credit, or debit card company or the like), that unique biological identifier can be **identified** by the clearing house and then linked to the financial information for that particular customer (Statement of Invention, paragraph [0008], second sentence);

- The financial transactions take place over the **internet**, or some other communications medium, using in this case the customer’s personal computer, or a **publicly accessible computer** set up to allow the user to **conduct business over the internet or equivalent communications medium** (Statement of Invention, paragraph [0032]). The computer to be used by the customer has image means connected to it to enable the computer to capture an image, more preferably a digital image, of the customer’s fingerprint (Statement of Invention, paragraph [0033]). It is understood that computer includes **processor(s)** to be operable, and the use of ATM includes withdrawing money.

Mitchell, et al. do not expressly disclose a financial method/system in which a wireless local network card is utilized and included in the interior of the card reader. However, Scott describes a method/system for conducting a secured credit card transactions using

biometric information. The biometric information comprises print or print identification data for the individual wanting to conduct the credit transaction (e.g., making a purchase using credit). The print identification data is obtained from an individual can include **hand or palm prints**, fingerprints, etc. (Brief Summary of the Invention, paragraph [0009]) using a **wireless transceiver biometric device** (Brief Summary of the Invention, paragraph [0012]). The wireless transceiver biometric device can be **incorporated into** any type of devices where additional biometric-based security is desired (Detailed Description of the Invention, first sentence of paragraph [0043]). Similarly, it can be **built in** a telephone, remote control device, or other devices such as **computers, ATM machines (thus include the card reading portion)**, locks, physical access control units, keyboards, ignitions, etc. to enhance security relating to the authorized use of such devices (Detailed Description of the Invention, paragraph [0043]), so that only an authorized person can operate the respective device, or gain a desired access or authorization. The wireless transceiver biometric device can **wirelessly communicate** (i.e., **transmit & receive data without physical connection**) to such devices (first sentence of paragraph [0042]). Additionally, biometric information is transmitted to other parties engaged in a financial transaction via a **wireless and/or wired network** (third sentence of paragraph [0066]). It is understood that in wired network, components are interconnected with one another on the network using wires that include: high-bandwidth/speed telephone line **T1**, CAT5 cables, etc. The wireless transceiver biometric device can be used for: financial transaction security, controlling use of credit cards and ATM/debit cards, electronic commerce, building access control, law

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enforcement, identification, recognition, and verification the identity of individuals, alarm control, file security, computer network security, and so on (paragraph [0044]).

Therefore, it would have been obvious for one of ordinarily skilled in the art at the time of the applicant's invention to modify the financial system disclosed by Mitchell et al., to include the palm prints reading portion in combination with the wireless local network card (as an alternative to the external wireless transceiver) that is incorporated into a card reading portion of a traditional ATM machine. One of ordinary skill in the art would have been motivated to do this because it provides a cost-effective, flexible, versatile, convenient financial system. Also, it provides additional security and protection for the cardholders and prevents unauthorized use of financial cards.

### **Conclusion**

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Smart Card with Integrated biometric sensor, Doyle, et al., U.S. Pub. No. 0095587 A1.
- Wireless Access System, Gonzales, et al., U.S. Pat. No. 5,936,544.
- System for Identifying an individual, a method for identifying an individual or a business method, Yamazaki, et al., U.S. Pub. No. 0001400 A1.
- User identity authentication system and user identity authentication method and mobile telephonic device, Yamazaki, et al., U.S. Pub. No. 0052192 A1.
- Use sensitive identification system, Pare JR., et al., U.S. Pat. No. 5,802,199.
- Method for identity verification, Black, U.S. Pat. No. 6,539,101.

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- Method and apparatus for securely encrypting data in conjunction with a personal computer, Clark, U.S. Pat. No. 5,815,577.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NANCY LOAN T. LE whose telephone number is (703) 305-0549. The examiner can normally be reached on Monday-Thursday, 8:30am-5pm.

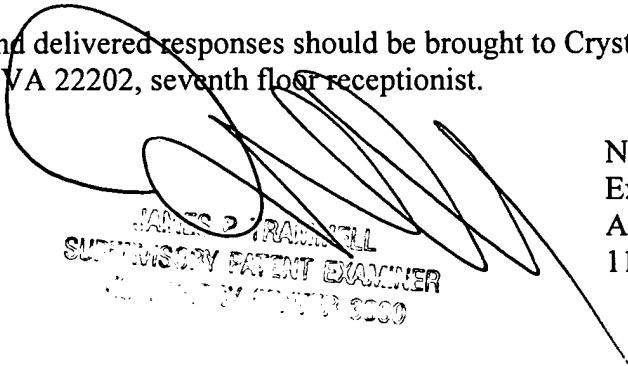
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES P. TRAMMELL can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450***

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA 22202, seventh floor receptionist.

  
JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
ART UNIT 3621

NANCY LOAN T. LE  
Examiner  
Art Unit 3621  
11/8/2004